



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

HL

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/341,328	07/06/1999	SATOSHI MIKAMI	KINOSHITACA	4999
7590	10/25/2004		EXAMINER	
FLYNN THIEL BOUTELL & TANIS 2026 RAMBLING ROAD KALAMAZOO, MI 490081699			CHANNAVAJJALA, LAKSHMI SARADA	
			ART UNIT	PAPER NUMBER
			1615	

DATE MAILED: 10/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

10142004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Acknowledgment is made of a Request for reconsideration dated 9-13-04. Applicants' arguments have been fully considered but not found persuasive. Examiner agrees that according to MPEP 1206, examiner is required to give a notice to the Applicant when an appeal Brief fails to address any grounds of rejection and provide an opportunity to correct the defect by filing a Supplemental Appeal Brief. However, the original Appeal Brief (dated 10-14-03) presented only one issue before the board (under the sub-heading ISSUES), whether the rejection of claims 12-41 are unpatentable under 35 USC 103(a) as being obvious over US patent No.

5,496,544. Applicants have not presented the issue of rejection of claims as being unpatentable over US 5,776,497 to Lagrange et al., to the Board of Appeals and Interferences. Therefore, the supplemental brief is refused under 37 CFR 1.195 because the issue raised in the supplemental brief has not been presented in a properly presented appeal brief. *Reply Brief filed 2-26-2004 has been noted and no action deemed necessary. The application is being forwarded to Board of Appeals and Interferences.*

**THURMAN K. PAGE, M.A., J.D.
SUPERVISORY PATENT EXAMINER**